



UNITED STATES OF AMERICA  
Federal Trade Commission  
WASHINGTON, D.C. 20580

Bureau of Competition  
Health Care Division

August 12, 2020

The Honorable Denise Cote  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 1910  
New York, NY 10007

**Re: *FTC, et al. v. Vyera Pharmaceuticals, LLC, et al.*, 1:20-cv-00706 (DLC)**

Dear Judge Cote:

On behalf of Plaintiffs, the Federal Trade Commission respectfully requests permission to file under seal Exhibit 6 to Plaintiffs' letter seeking a Court ruling that Defendant Martin Shkreli's communications from federal prison that were legally and knowingly monitored and recorded by the Federal Bureau of Prisons are not privileged. The FTC seeks to file Exhibit 6 under seal because it is currently designated as Highly Confidential under the Protective Order. *See* ECF No. 92 § 8.

In accordance with Rule 7.B of Your Honor's Individual Practices in Civil Cases and with the requirements for electronically filing under seal, the FTC will publicly file Plaintiffs' letter, Exhibits 1-5 and 7, and a slip sheet noting that Exhibit 6 is filed under seal. On a separate docket entry, the FTC will file under seal the letter and all exhibits.

Sincerely,

*/s/ Markus H. Meier*

Markus H. Meier  
Assistant Director